

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Criminal Minute Order

The Honorable Claudia Wilken, Presiding
Clerk: Sheilah Cahill
Court Reporter: David Disbrow, pro tem
Date: 10/24/07

Plaintiff: United States

v.

No. CR-07-00364 CW

Defendant: Marvin Nelson (present)

Appearances for Plaintiff:
Chinhayi Coleman

Appearances for Defendant:
Joyce Leavitt

Interpreter:

Probation Officer:

Speedy Trial Date:

Hearing: Defendant's Motion to Dismiss

Notes: Motion denied. Government should chose best prong of 642 to proceed on and either strike one as surplusage or Court can instruct jury to find one or the other. Government prefers jury be instructed to chose one or the other, but not both. Court finds continuing offense. **Case continued to 12/19/07 at 2:30 p.m. for pretrial conference. Jury trial currently set for 1/7/08 at 8:30 a.m.**

Copies to: Chambers